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MEMORIAL ADDRESSES

LIFE AND CHARACTER OF

ALLEN T. CAPERTON

DECEMBER 21ST AND 22ND 1876.

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Allen G. Thurman

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MEMORIAL ADDRESSES

ON THE

LIFE AND CHARACTER

OF

ALLEN T. CAPERTON,

(A SENATOR FROM WEST VIRGINIA,)

DELIVERED IN THE

SENATE AND HOUSE OF REPRESENTATIVES,

DECEMBER 21 AND 22, 1876.

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ADDRESSES

ON THE

DEATH OF A. T. CAPERTON.

PROCEEDINGS IN THE SENATE.

DECEMBER 21, 1876.

Mr. DAVIS. Mr. President, according to notice heretofore given, I now submit two resolutions having for their object the furnishing of an opportunity for the Senate and House of Representatives to bear testimony to the character and public services of ALLEN T. CAPERTON, and ask their present consideration.

The PRESIDENT *pro tempore*. The resolutions proposed by the Senator from West Virginia will be read.

The Chief Clerk read as follows:

Resolved, That as an additional mark of respect to the memory of ALLEN T. CAPERTON, late a Senator from the State of West Virginia, business be now suspended, that the friends and associates of the deceased may pay fitting tribute to his private and public virtues.

Resolved, That the Secretary of the Senate communicate this resolution to the House of Representatives.

The resolutions were agreed to unanimously.

Address of Mr. Davis, of West Virginia.

Mr. President: The Senate is again called upon to suspend its ordinary proceedings, that it may in a proper manner mark its respect for one of its former members whose death it laments; to testify to his private worth and public virtues and give expression to its sorrow.

Scarcely a session of this body passes but it is invaded by death, and some familiar face, some associate, is summoned hence and called to rest forever from all earthly care.

In my single term of service here, yet incomplete, the painful duty now upon us has been, alas! too frequently performed.

We have followed to the grave and shed the tear of affection over some of the ablest and most distinguished men of our day and time.

Our late President of the Senate, Vice-President Wilson, the nation's and people's friend; the learned and gifted Sumner; Ex-President Johnson, self-taught and self-educated, who by force of energy and native abilities hewed his way from the humblest walks of life up to the executive chair of the nation; the patriot governor, Buckingham; the amiable and affectionate Ferry; and the earnest, able, and fearless Davis, all have passed away.

In this instance it has fallen to the lot of West Virginia to mourn and render up one of her ablest, best, and truest sons.

Toward the close of the last session of the Senate, prolonged as it was into the late summer, when the heat was most oppressive and fatigue and exhaustion rested upon all, after but a brief illness of organic disease of the heart, on the 26th day of last July, death found Mr. Caperton at his post of duty.

It is not my purpose on this solemn occasion to pronounce any studied words of praise and commendation over my friend and dead

colleague, believing that the best eulogy upon so noble a character will be the plain and simple story of his life.

ALLEN T. CAPERTON was descended from an old Virginia family, and was born at Union, Monroe County, Virginia, (now West Virginia,) November 21, 1810. His ancestors on the paternal side were English and on the maternal Scotch, a commingling of nationalities that has produced some of the greatest men of our country. His great-grandparents on both sides were among the earliest settlers on the headwaters of the Kanawha, then overrun by hostile Indians; and the fact that his grandmother was captured by savages, her infant child butchered before her eyes, and she detained in captivity for four years, will give some idea of the courage it took and the dangers that had to be encountered in opening to civilization that fertile and beautiful mountain region.

Hugh Caperton, the father of the late Senator, was a man of great ability, high character, and commanding influence in the section of Virginia where he resided. He represented his district in the Thirteenth Congress, and was the intimate friend and admirer of the great statesmen Clay and Webster, and other leaders of the whig party, to which he belonged.

Mr. CAPERTON passed the earlier years of his life at the home of his father, near Union, and at that village received the rudiments of his education. At the age of fourteen he went to Huntsville, Alabama, to attend school, making the long journey on horseback in company with an elder brother. He afterward attended the University of Virginia, and completed his education at Yale College, in 1832, graduating seventh in a class of fifty-three at the age of twenty-two. In college he was noted, as in after life, for his studious habits, industry, and good deportment; though modest and reserved, he was popular with his fellow-students and beloved and esteemed by his professors.

After leaving college he studied, law under the late Judge Briscoe

Baldwin, at Staunton, Virginia; was admitted to the bar in 1834, and commenced the practice of his profession at his native town. His natural ability, eloquence, and close attention to business soon secured for him a prominent position as a lawyer, and his practice rapidly extended throughout the southwestern portion of the State. He was not, however, long permitted to confine himself solely to his professional duties, but in 1841, at the solicitation of his friends and neighbors, he took part in politics and was elected to the house of delegates of Virginia, and in 1844 to the senate, after which, until 1860, he was at various times a member of both houses of the State legislature. In 1848 he was a member of the national convention that nominated President Taylor. Although elected to the legislature at an early age and at a time when some of the ablest and most brilliant men of the State were members, he soon advanced to the front rank, and gained an enviable reputation throughout the State as a useful legislator and a ready and forcible debater.

His service in the legislature was marked by his untiring efforts and best exertions in favor of every measure looking to the progress and prosperity of the State generally, but more particularly to the opening up and development of the vast resources of the portion he represented. All propositions for internal improvements and public works found in him a zealous and energetic supporter, and he was held in the highest esteem by all parties.

A newspaper correspondent, speaking of him in 1858, says:

> A. T. CAPERTON, of Monroe, is a whig and has long enjoyed the confidence of the whole people of his section. He has never been defeated for office. Mr. CAPERTON is one of the handsomest men in the legislature, the ablest member of his party on the floor, and would make a valuable and useful member of Congress.

During all this time, notwithstanding his service in the legislature and the interest he took in politics, he not only continued the practice of his profession with success, being engaged in almost every important suit in his section of the State, but found time to devote

to agriculture and stock-growing, of which he was very fond, and was reputed among the most successful in the State.

He was also the active friend and supporter of nearly all important enterprises projected and put in operation in the southwestern portion of Virginia.

He was one of the most influential directors in the James River and Kanawha Canal, looked upon in that day and time, as now, a work of national importance, its object being to connect the waters of the East and West, and furnish means of transportation between the distant sections of the country.

In 1850 and 1861 he was elected a member of the constitutional convention of Virginia, and, like many prominent members of the whig party in the South, was a conservative union man, and opposed secession until the commencement of actual hostilities, when he felt, as many others did, that his duty was to link his fortunes with those of his State. In 1862 he was elected by the legislature of Virginia as a member of the Confederate States senate, which position he filled until the close of the war, in 1865; after which he returned to his home, accepted the result of the war in good faith, and resumed the practice of his profession, devoting much of his time and energies, as in the past, to the opening up and developing the resources of West Virginia, particularly adverting and bringing to the attention of foreign capitalists her fine coal, timber, and grazing lands; and in this direction he accomplished much and his efforts were crowned with reasonable success.

On the 17th of February, 1875, after a spirited contest, he was almost unanimously elected a member of this body to succeed Hon. Arthur I. Boreman, and took his seat on the 4th of March following. His election was received with general satisfaction throughout the State He brought to the Senate great strength of character, matured experience in public affairs, sound judgment, and an accurate knowledge of the history of the Government and the necessities

of the country, and particularly the South. He had the liveliest appreciation of the responsibility resting upon a Senator and his duty to the General Government and his State. He recognized in the amplest manner that old issues were dead and that a glorious and prosperous future awaited the whole country if good feeling could be restored between the sections. His greatest concern and deepest anxiety was over the unsettled condition of our political affairs, and had he lived I have no doubt his voice would have been raised and energies exerted in behalf of peace and harmony.

Such is a brief outline of the early life and public services of my departed colleague.

For thirty-five years, it may be said, he was constantly under the eye of the public, filling many important positions of trust and confidence to which he had been elevated by the partiality of his neighbors and fellow-citizens. And during this long term of public service, quite an ordinary life-time, embracing and covering as it does a period as important, stirring, and exciting as has occurred in our history as a country, I have the pride and pleasure of recording that his conduct and character were so pure, so high, and so elevated that neither suspicion nor taint ever rested on either; and in all of his official acts and doings, in his professional and business dealings, he did his duty well, wronged neither state nor individual, and was uniformly just and honorable.

He was a man of scholarly attainments, positive character, fixed principles, and strong convictions, a despiser of all tricks and *narrow doings*, a sound lawyer, modest and reserved, though a ready debater, thoroughly versed in the history of the country and politics, a lover of the Constitution and a close student of its wise provisions; all of which was supplemented by a large experience with men and affairs.

Thus thoroughly equipped by nature and cultivation, he came up to our best ideas of an American Senator and statesman.

The term of service of Senator CAPERTON as a member of this

body, less than two years, was so short that there was scarcely sufficient time for his associates to know him well and understand his noble character; but I believe I am authorized in saying that, even brief as it was, he enjoyed the esteem and respect of all, and none was more dearly beloved.

Of commanding presence and dignified deportment, he inspired the respect of all with whom he came in contact. He was eminently social. Possessed of rare conversational powers and a cultivated mind, amiable disposition, and genial manner, warm-hearted and affectionate, he drew around and cemented to him friends wherever he went. He made but few speeches in the Senate, but when he did speak he brought to the subject careful and accurate thought, close research, and sound judgment. His highest ambition, best purpose, and most earnest wish were that the estrangement growing out of our late unfortunate war should forever disappear and be replaced by harmony and good feeling between the people of the whole Union, believing when this happy end should be attained there was a brilliant and prosperous future before the country.

He was an earnest advocate of internal improvements on the part of the General Government, feeling that if Congress could inaugurate and carry out a proper system it would prove of incalculable benefit to the country and help to bring about the harmony and friendly feeling between the people of the States which he so much desired and believed necessary to the perpetuity of our free institutions.

His speeches on the Centennial and river and harbor bills, delivered during the last session of Congress, breathe a spirit of progress and patriotism and hope for the future.

But it was at his own home, in the midst of his neighbors and friends of a lifetime and in the quiet sacredness of the domestic circle, where he was best known, that he was loved most.

A fond and affectionate husband, a generous and loving father, he enjoyed the devotion of his family.

It was my lot to be one of the number who accompanied his remains from this capital to their final resting-place at his home, and his popularity and the affection cherished for his memory were marked by the general grief and gloom that pervaded all classes as we drew nearer to the end of our sad journey. His death was not only a great loss to his State and the country, but particularly to his family and the community in which he lived. He was endeared to all classes, and in the long procession of relatives, friends, and neighbors that followed his remains to their last resting-place, among the grief-stricken and those who stood nearest the grave were some of his former slaves.

Although cut off in the midst of his usefulness and at a time when he could apparently do the most good for his country and State, we bow with better submission to this dispensation of a divine Providence, believing and knowing that society, the times, and the age were better for his having lived.

Address of Mr. Wright, of Iowa.

Mr. President: I should be unmindful of the strong promptings of friendship, indifferent to duty, and unjust to the memory and many sterling qualities of head and heart of the late Senator Caperton, if I did not add something to what has just been so appropriately said by his surviving colleague. I first met the late Senator when he appeared to enter upon his duties here in March, 1875. From that time until his death our relations, official and personal, for those theretofore strangers to each other, were more than usually intimate. Among other duties, he was assigned to the committee of which I was then made chairman, a committee (Claims) where he found hard work, drudgery, need of patience, care, thoughtfulness, watchfulness,

and where, certainly equal to any other in this body, there is abundant opportunity to test the fidelity of its members to duty and their ability to dispose of the many perplexing and important questions arising. And I am sure that I but express the united judgment of his associates there when I say that no man could have been more faithful, painstaking, or attentive to every question arising, nor more solicitous to do even and exact justice to the claimant and the Government, than our late colleague.

In the committee-room, as in the Senate, he was the same affable, courteous, polite, and courtly gentleman, and in both, as in private and social life, never in an unseemly or untimely manner pressing his views, never seeming to obtrude his opinions in the spirit of the determined and obstinate antagonist, but mildly, pleasantly, and yet with a firmness which satisfied you that he knew his ground, had studied it well, and that his convictions or conclusions were the result of thought and care, and not of passion, prejudice, or other than what was to him the very right of the case. He could listen to and take part in fair and just argument; to aught else than this and the very law and justice of the matter presented he ever turned a deaf ear.

Senator CAPERTON was educated at Yale, and had as his classmates and fellow-students, among others, John and Wellington Gordon, of Virginia; Rhett and Rutledge, of South Carolina; Shorter, of Georgia, as well as others who were afterward of distinguished prominence in their several States and in the nation. One of these (Hon. Henry Sherman, now of this city) says of him as a student that "He was of fine personal appearance, courteous in his address, of high moral character, and very popular among his fellow-students." And following him through after life this friend adds that "He was eminent in his profession, prominent in his State; in his business he was a man of large conscientiousness and high-toned honor and integrity. I frequently found him, after he entered upon

his duties in the Senate, very late at night poring over voluminous records and laboring with the utmost care and industry. His laborious and persistent attention to business, in my judgment, shortened his days."

In private life, as we have already heard, the goodness and greatness of the late Senator appeared in the most conspicuous manner. The man who—as another friend, who was for years brought into the closest and most intimate relations to him, in a letter now before me, says—I say the man who, "tender and guileless as an infant himself, could and did attach to him the affections of the young and the poor, enter into their plans and pleasures, identify himself with their interests; who had the almost sublime adoration of wifeand children, and who returned this with a devotion attracting the attention of all who knew him, who despised a little thing beyond expression; who, with that vigor of language of which on such occasions he was complete master, denounced all things little and mean and wicked; who ever took an interest unequaled in the struggles and trials of those in distress and trouble; who as a man was exemplary in all the relations of life"—such a man, I repeat, could not be otherwise than good; and greatness most logically and certainly followed, for goodness leads to greatness; goodness is greatness.

Senator CAPERTON belonged to that school of politics which taught the power and constitutionality of the General Government to engage in a general system of internal improvement.

Entertaining these convictions, he was, as his public life will show, ever the most active supporter in his own State and in the nation of all those measures which tended to the material development, by a system of internal improvement or otherwise, of the old State which he loved so well, and of any and almost all schemes under the patronage and fostering care of the General Government which in his opinion might contribute in any manner to its growth, greatness, and material prosperity. On this subject or on these matters he never,

as far as I can learn, and as his public record will attest, had any the least constitutional scruples. And yet it is perhaps not strange, in view of his associations, education, and from his devotion to his State, that he could quite naturally incline to side with his State in the late unpleasant and deprecated struggle. Hence he took a prominent part in that contest for what he thought were the rights of his State and his people. And yet the sincerity of the man and his convictions, his adherence to his principles as to the powers of the Government, and his, as I must believe, patriotic devotion to the Union and country in whose service he was engaged at the time of his death, is well shown by what he said to a near friend in almost his last hours, as given to me, when, referring to his public life, he said, "You know the influences under which I have lived and been brought up and strengthened in the views of States rights, consistent with which I could not do otherwise than I did. But," he added, "I am clear of those views now, and I accepted my present position with a firm determination to support the Union and Government of the United States, and my first ambition is to enforce upon the people of the State which I represent my conviction that our greatest good is to make the State of West Virginia as great a State in the Union as the Old Dominion of Virginia was in her palmy days."

Such, Mr. President and Senators, were some of the characteristics and virtues, as they impressed me, of our late colleague; such almost his last words. Standing by his tomb and admonished by the occasion, our present surroundings, the scenes here enacted each day, how we should each be led to reflect upon the vanity and littleness of all human ambitions and aspirations! How fitting that we should for the passing hour, and indeed for time, bury the asperities, the bitterness, the criminations and recriminations of party and political strife, and upon their tomb build higher and still higher a love and devotion to that Union which is the only sure hope of our present and future greatness; that Union which should know neither sections nor

parties; that country which our deceased colleague was, as I believe, in his service here, seeking to make stronger and better and purer; that country and that Union bequeathed to us by the noblest ancestry of the ages, and saved to us by the best blood of their equally noble children.

Address of Mr. Withers, of Virginia.

Mr. President: Amid the many appropriate and graceful tributes to the memory of our departed associate, I ask the privilege of depositing a modest chaplet on the same sacred shrine.

To the interesting biographical sketch, the acute analyis of character, the warm expressions of appreciation and esteem to which the Senate has listened little need be added. Yet I feel in this connection that something is due from the State which gave him birth, the State toward which his true and loyal heart was ever wont to turn with filial love and never-failing reverence. Though by the exigencies of the times he appeared on this floor as one of the faithful representatives of that fair daughter which had been so rudely carved from the mutilated form of that dismembered State, Allen T. Caperton was *intus et in cute* a Virginian of Virginians. His interest and his affections, refusing to be restrained within the narrow confines of West Virginia, included in their loving embrace all Virginia, whether old or new. Nay, sir, I may go further and say that while Virginia held the first place in his affections, no portion of his country, whether East or West, North or South, was excluded. His expansive patriotism, disdaining the restricted limits of State boundaries, embraced the interests of the whole people.

Reared amid those grand old mountains which, like heaven's sentinels, keep watch and ward around that loved ancestral home where his progenitors for generations had "lived and moved and had their being," it is not surprising that his mind was early imbued with that

undying devotion to the principles of liberty and free government which in all ages has been deemed a characteristic of "the dweller among the hills."

Blessed with a fine person, a strong and vigorous intellect improved by culture; of refined literary taste, with an exquisite and quiet humor; of temperate habits and genial disposition, it is not remarkable that he should have been early called to assume the duties and responsibilities of public life. Of that public career, long and honorable as it was, I shall speak very briefly.

By inheritance, as well as by the convictions of his maturer judgment, he was an earnest but not a blind adherent of that grand old party which under the leadership of the "great commoner" attained such enviable distinction for its probity, its purity, and its patriotism as will in all time provoke the emulation of all political organizations; a party which, if not always fortunate in the inauguration of its schemes of statecraft and the election of its candidates, ever maintained as its cardinal doctrine that the interests of the whole country were to be held superior to the gratification of individual ambition, and the prosperity of the people more to be valued than the triumph of the politician.

These principles found in Mr. CAPERTON a steadfast and uncompromising adherent. His intellect, naturally acute, was expanded by culture and disciplined by study in both northern and southern schools until it attained a breadth and comprehensive scope which was fatal alike to the narrow dogmatism of the sectionalist and the destructive frenzy of the fanatic. He was no one-idea man. In politics he knew no higher law than the Constitution of his country, was ambitious of no distinction except that incident to the faithful discharge of representative trust. He sought no selfish end, labored not for personal aggrandizement. His devotion to duty was so absolute and unquestioning, his abnegation of self so utter and complete, that they overshadowed that prudence which ordinarily prompts us to regard per-

sonal comfort and personal safety superior to all other considerations, and thus doubtless accelerated the final catastrophe by which an honorable and useful career was so suddenly and sadly closed. Enervated by the excessive heat and exhausted by the unusually arduous and protracted labors of the last session, with vital powers perceptibly waning day by day, he yet, with brave heart and unblenching spirit, refused to seek amid other and more congenial surroundings that repose upon which his very existence depended. In his opinion the interests of his constituents required his personal attention and demanded his continued presence here. The members of the Senate will not, I am sure, soon forget the earnest and almost impassioned tones of his voice as they fell for the last time upon our ears pleading for the inauguration and consummation of such enlarged and comprehensive policy of internal improvements as would develop and enrich not only his own immediate constituency, but would redound to the advantage of the whole country.

In his stern devotion to duty, in his delicate sense of honor, in his contempt for all that was little and mean, and in the fearless bravery of his loyal heart he seemed better suited to the chivalric than to the present utilitarian age. But it was in the domestic circle, amid the sweet endearments of home, that the most lovable and lovely traits of my friend's character found their fullest development. His appreciation of home joys and domestic pleasure was unusually acute, and however appreciated and honored might be his public service, he ever turned with unfailing zest and keen enjoyment to the delights of that mountain home whose elegant hospitalities he so much delighted to dispense, and to that family in whose affectionate ministrations he found his highest happiness. In the sacred *penetralia* of that home there is "an aching void the world can never fill." I will not with rude hand attempt to draw back the veil which shrouds sorrows which it cannot wholly conceal. To "time, the comforter," and "to Him who doeth all things well," they can look alone for the heal-

ing of their yet green wounds, assured that when that time shall come they will feel a just appreciation of his reputation as a public servant, and will forever cherish as their dearest heritage the memory of his sweet domestic virtues.

Mr. President, to arrest the sweeping current of heated political discussion which has since the commencement of the present session borne down everything before it; to still for a time the tones of mutual denunciation which have so persistently vexed the ear of the Senate; to withdraw our minds for a brief space from the consideration of the exciting questions which press upon us with such engrossing interest, and to turn with saddened hearts and subdued utterances to the performance of the touching duty of paying this tribute of respect and affection to the memory of our departed associate, is eminently judicious and must be productive of good.

These ceremonies bring us face to face with the last great enemy, before whom the struggles of political parties are dwarfed into insignificance, and compel you to remember that "there is no work, nor device, nor knowledge, nor wisdom, in the grave whither thou goest."

The dreams of ambition, the mad quest for power and place, the aspirations of purest patriotism, alike pass away with the fleeting breath, and thus we "bring our years to an end as a tale that is told:"

> For the living know that they shall die: but the dead know not anything. Also their love, and their hatred, and their envy, is now perished; neither have they any more a portion forever in anything that is done under the sun.

Such is the conclusion of him to whom was given wisdom beyond that which has ever fallen to man, and it becomes us well to ponder his words and so apply our hearts to the true wisdom that when our star sets at life's close "it may set as sets the morning star, which goes not down behind the darkened west, but melts away into the brightness of the coming day."

Address of Mr. Edmunds, of Vermont.

Mr. President: Mr. Caperton took his seat in this body as one of the representatives of West Virginia for the term of six years on the 4th of March, 1875. He died on the 26th of July, 1876.

A law higher than constitutions and a power greater than that of States terminated the high trust his State had committed to him before one-fourth of its period of usefulness and honor had elapsed. The daily lesson of mortality, repeated in every age and every clime in the only language common to all the inhabitants of the earth, speaks as clearly to those in the most exalted as to those in the humblest stations. The cabinets and audience-chambers of kings and the halls of senates are as obedient to its inexorable voice as the lonely tent or wigwam of the poorest dweller in the desert. Misery and happiness, want and affluence, are equal before it; and so day by day there disappear from the scene of human endeavor, as well the actors of the great parts as the simple figures who only pass unnoticed across the shadows of the most distant parts of the stage.

In the brief career of Mr. Caperton among us, he had endeared himself to the whole body of his senatorial associates. Political friends and political opponents alike found in him those qualities of personal uprightness and independence that do so much always to mitigate the overzeal and soften the asperities of party strife. A man of much sensitiveness of temper and of strong opinions, the self-reverence and self-control flowing from a gentle spirit, a cultivated intellect, and long intercourse with his fellow-men in many stations of trust, made him always courteous in manner and conciliatory in advancing his own opinions and in opposing those of others. He has been suddenly taken from the sphere of labor for his State and his country, upon which he had but just commenced. As we join in the

sorrows of the young commonwealth he represented, we naturally look backward to his predecessors and to her singular history. Mr. CAPERTON was only the third Senator of his class from that State. Mr. Boreman immediately preceded him, and Mr. Van Winkle preceded Mr. Boreman, and was one of the first two Senators from West Virginia, Mr. Willey being his colleague. Out of the convulsions of the rebellion there was born a new and welcome sister in our great family of States.

The substantial power of the old commonwealth of Virginia, glorious in all her previous history, east of the mountains, having carried her in 1861 into the rebellion—although during a short period afterward she had representatives in the Senate—the people of the forty-eight counties of the western part of the State, lying among the beautiful and fertile valleys of the Alleghanies, in 1862 framed a constitution and government for a separate and independent State. The great majority of this people were loyal to the national unity of the Republic, and naturally felt deeply anxious that their fortunes should not be linked with those of Eastern Virginia in its sad attempt to break up the Government of the Union. After much consideration and many doubts, on the 31st of December, 1862, an act of Congress was passed providing for the creation of the new State of West Virginia, and on the 19th of June, 1863, she became the thirty-fifth State of the Union, and the twenty-second of the new States. The character of the political body that, as the legislature of Virginia, assented to the dismemberment of the State was not the clearest as being the constitutional legislature of the old State; but Congress exercised its undoubted political power to recognize it as such, and the State of West Virginia became an accomplished and unchangeable fact. It is not one of the least evils flowing from powerful assaults upon lawful government that the government itself is often forced to extreme measures and to the verge of its authority to preserve and protect itself; and thus it sometimes transmits to later

times unsatisfactory precedents and examples that many in less emergencies are too apt to resort to as the justification or excuse for other steps dangerous to the common weal. As we reflect upon the characters and careers of departed statesmen and bring up to view the events with which they were connected in times of trouble and distress, can we not repeat with fervent emphasis?

> Beware of desperate steps. The darkest day,
> Live till to-morrow, will have passed away.

Neither the purest motives nor the most exalted patriotism can prove an antidote to the poison of measures of any government beyond its constituted power, however apt they may be for the exigencies of an existing occasion, or for an appeal to any other force than that of the law for the redress of grievances arising in a government constituted upon principles of justice and equal rights, and wherein, from period to period, recourse must be had to fresh expressions of the popular will. The men of the time and the excitement of the hour pass away, but the institutions and the body of the people, old and yet ever new, remain to rectify, in the sober light of truth and reason, the evils that ignorance or passion, prejudice or corruption, may have inflicted upon society.

To-day we make memorial to a prominent figure in the government of a great nation. One of that very small body of men, to whom, as "the sheet-anchor of the Government," the security and happiness of more than forty millions of people are chiefly committed, has been called, suddenly and forever, from his place. Such an event, although certain to occur very often, cannot fail to be solemn and impressive, not only—indeed not chiefly—from our awe of death, or from our friendship and respect for the man who has gone, but from considerations that relate to the connection of particular individuals, or indeed selected bodies of men, with affairs of state, and the little contribution the most fortunate are actually able to make to the sum of human events.

In this body, itself the most permanent in its personality of any under the Constitution except the judiciary, a very few years suffice to change almost entirely the elements of its composition. There now remain to us only three Senators who occupied their places at the beginning of Mr. Lincoln's administration, or who participated officially in the long tragedy of the rebellion; and there are only eleven who in 1868 were members of the high court that tried and acquittted the President. The accused and the greater part of his judges have long since left the forum—some for the simple duties and pleasures of citizenship, and some, with the chief personage in that great drama, have gone to their long repose, and to whose constantly increasing number has now been added one of the most recently appointed of the members of this body.

Surely the works we personally do for our country must be few and small in the aggregate of history, and their permanent value must depend, not upon the glamour of oratory, the polish of scholarship, or skill in discussion, but rather on that deep spirit of truth and justice, and the courage to follow them always, that make up the character of him—

> Who, whether praise of him must walk the earth
> Forever, and to noble deeds give birth,
> Or must go to dust without his fame,
> And leave a dead, unprofitable name,
> Finds comfort in himself and in his cause,
> And, while the mortal mist is gathering, draws
> His breath in confidence of Heaven's applause.

Address of Mr. Bayard, of Delaware.

Mr. President: On the 4th of March, 1875, our lamented associate, Allen Taylor Caperton, took his seat in this body, having been elected to serve until March, 1881. Death closed his career when but little more than a single year of his senatorial service had

been performed. During this short period there was little to signalize his service here, and in the quiet, steady, undemonstrative performance of his duty must be found the basis of any commentary we may now make.

I have said his period of service here was short, yet it was long enough to cause all who came to be acquainted with him to mourn that it should not have been longer. It was long enough to impress those whose acquaintance he then first made with respect and confidence.

He came into this body with a high and unblemished personal repute, not built upon noisy professions and sustained by sensational advertisement, but firmly founded in the appreciation of his personal qualities by his friends, his neighbors, and that wide-spread circle of men of all shades of political opinion in Virginia and West Virginia amid whom his modest and virtuous life had been spent, and where a worthy ancestry had preceded him from the first foundations of civil government in that country.

The term declared by the Psalmist to be the years of a man had been nearly passed by him, for he had reached his sixty-seventh year when the "dread arrest" was felt. But he had so lived that he did not fear to die, and although wrung with pain he met it as the immediate and recognized precursor of death with that fortitude which had characterized his whole life. He had lived remote from cities, and in the comparative seclusion of a country life had found his theater of usefulness, duty, and quiet happiness.

From the most venerable and one of the most highly respected institutions of learning in our country he had received, in 1832, his diploma of scholarship, and, as a graduate of Yale College, entered upon the study and soon the practice of the law. He attained high standing in the ranks of his profession, and gained and kept the confidence and affection of those around him, as was attested by the many important public trusts he was called upon to execute.

When Virginia, his native home, felt in 1861, in common with all other members of our Federal Union, the terrible convulsions of political strife, it was almost inevitable that a citizen so eminent and esteemed by men of all parties as Mr. CAPERTON should be called upon in that critical hour to represent his people in the public councils.

While he sought not distinction for himself, he shrank not from responsibility, nor kept in the background when danger showed itself at the front; for no man in a land where courage is the rule was more constant in that quality, morally and physically, than he.

He was in politics a whig—a conservative-union man—and with such views became a member of the State convention of Virginia of 1861. This is not the occasion to relate nor I the fit historian of the longing, lingering look cast back upon that Union, in so great degree the work of her sons in field and council, of her treasure and her territory, by the great State of Virginia as she reluctantly withdrew from its political association.

The conscience and training of ALLEN T. CAPERTON bade him follow the political fortunes of his State, and in obedience to the call of her legislature he became a member of the Confederate States senate in 1862, and served there throughout its stormy existence and until the end of that short-lived government. Ten years after that government had passed away to be known no more except in history, Mr. CAPERTON was in the vicissitude of human affairs chosen to represent the State of West Virginia in the Senate of the United States.

Mr. President, I have never felt more penetrated with a sense of the wisdom of prompt and thorough reconciliation of our fellow-countrymen, so lately and violently at strife, than when I recognized in the course of my confidential relations of private friendship with ALLEN CAPERTON how truly and wholly his heart beat for the happiness and prosperity of our whole country and for the perpetuation of its constitutional government. Would that now the power could

be given to me to picture in all its glowing and truthful reality the fidelity of his honest soul, that has so lately taken its flight, to the integrity and welfare of our Government and the happiness of all its people. Sure am I that distrust and suspicion toward men such as he, and from the section of country with which he was politically identified, would vanish, and forever, from the breasts of their fellow-country men of the more northern section of the Union.

Honor and truth are *not* mere idle abstractions. They are the living and practical realities upon which men and women found their best reliance for personal happiness, and which constitute the real bulwarks of a nation's welfare and safety, without which written constitutions are mockeries and laws mere pitfalls.

In the life of the modest gentleman whose death we mourn these qualities were constantly exemplified, and from our contemplation of them and their exercise may we not take new resolve to pay them due respect in our memory of the dead, and call for their recognition and practice in our intercourse with the living.

Address of Mr. Booth, of California.

Mr. President: We have paused in our daily labor, turned aside from the routine of business and from the consideration of those grave questions which disturb the public mind with vague alarm, to pay tribute of respect to one who in his brief service in this body, by his kindness, courtesy, and frankness, made each of us his friend, and who discharged his public duties with industry, intelligence, fidelity, and honor.

This chamber is the arena of intellectual combat, and when the great monarch drops his baton the conflict of opinion is suspended.

In all stations, in every allotment of life, it is well that we should sometimes be brought to the absolute contemplation of death and

the realization that to each of us it is inevitable and near. The days of our life are numbered; at each sunset there is one less. The sands of our life are measured. While I speak they are wasting.

Though death is as "common as any, the most vulgar thing to sense," though it hath been "cried from the first corse till he that died to-day '*this must be so*,'" it still remains the great mystery whose overshadowing presence awes us into a sense of our insignificance, and shows us the objects of our pursuit and passionate desire in their cold, naked reality. And this is its office to the living. Not lips touched with the fire of genius can so solemnize us to a sense of duty, so plead for the right, so admonish us of the vanity of human expectation as the dumb, cold lips of the dead. Beneath these forms and trappings, beneath this covering of flesh, our skeletons are marching to the grave. And everything on earth that we long for, seek, strive for, is but a covered skeleton. Adorn it as we may, cheat ourselves as we will, "to this complexion it must come at last;" and then dust and ashes.

Six months ago, if Allen Taylor Caperton had entered this chamber and passed to his seat, it would have been a commonplace incident, as little noted as your or my coming to-day. If he should enter that door now, what an awe would fall upon us all. If he should rise at his desk to speak, with what rapt suspense we should listen. Not the most eloquent words that ever fell from mortal lips could so enchain attention as the lightest syllable from his.

Yet if he could come back from the "undiscovered country" and speak to us as in the flesh, do we not know what his message would be? Would he not counsel peace and good-will? Could he inculcate a higher lesson than that taught of old, that "righteousness exalteth a nation," that "error shall pass away like a shadow, the truth shall endure forever?" Could he not tell us that self-seeking is not the highest wisdom, that safe guidance is not found in passion, and that institutions can neither be built nor preserved by hatred or vio-

lence? Could he reveal a diviner precept than "love," a more sacred duty than "charity?" If it has been permitted him to pass in review the procession of events in the unnumbered ages since man appeared on the earth and to realize that history has but begun, that in the curtained future there are countless ages to be, could he not tell us that in the grand sweep of destiny mere personal success, the pride of place, the lust of power, are of as little worth as the foam on the river?

This *is* the message from the dead past to the living present; this is the lesson of the silent centuries; this is the voice from the grave of all who have gone before.

Those who knew Senator CAPERTON better than I have already spoken of the traits of his character and the incidents of his life. In our brief acquaintance he impressed me as a man of culture and refinement; of strong practical sense, impatient with what he regarded as abstractions, zealous for the promotion of every material interest, and devoted to a reunion of hearts and hands through all the land. His neighbors told me he was a man of active habits, interested in every enterprise for the advancement and improvement of the country where he lived, strong in his convictions, outspoken in his opinions, steadfast in his friendship, and of bountiful hospitality.

He had this true test of genuine worth: his character and temper softened and mellowed with years and experience. Children loved him, and the dumb beast regarded him as a natural protector.

He lived, where his ancestors had for several generations, in a region of great beauty of landscape—a high plateau, with mountain-peaks in the distance, with intervales and opening vistas of surpassing loveliness—off the great lines of travel, and where the stream of life seemed to eddy into a quiet circle. It was a spot where old customs survive, old fashions prevail, and old faiths are cherished. From his beautiful home, through the broad English lawn—almost a park—we bore his remains to the village church, where his old friends and

neighbors had gathered from all the country round. The solemn service for the dead was spoken. We followed him to the grave-yard on the hill and left him with his fathers.

His task is finished. He has no part or lot in all that is done beneath the sun. No more for him the voice of love, the song of gladness, the load of care, the cup of sorrow. Not for him the beauty of spring, the splendor of summer, the glory of autumn, the uncrowned majesty of winter. Flowers will spring from his grave; storms will beat upon it; morning will greet it with her earliest light, night crown it with her stars, and the earth, rolling in her great orb in infinite space, will bear his dust with hers, till time shall be no more.

Ah, mystery of death, and greater mystery of life! both are in the hand of Him without whose knowledge not a sparrow falls; obedient to whose will the tides of human destiny ebb and flow, and unto whom a thousand years are but as yesterday when it is gone, or a watch in the night.

Address of Mr. Price, of West Virginia.

Mr. President: I was no doubt better acquainted with the deceased than was any other Senator here. We lived in adjoining counties, practiced law in the same courts, were members of the same legislatures and the same conventions, and generally had the same interests to represent. Our acquaintance extended back to his early manhood, when he first commenced his professional and entered upon his public career.

He was the son of Hugh Caperton, esq., a gentleman of fascinating address and popular manners, of great compass and energy of mind, and who, by his energy and sound judgment, had amassed a large fortune, which he left unimpaired and unembarrassed to his children. He was repeatedly called on by the citizens of his county to represent them in the popular branch of the State legislature; and

he always served them to their entire satisfaction. He was also elected to Congress from his district at a critical period in our history, and rendered service satisfactory to his district.

ALLEN TAYLOR CAPERTON, the subject of our remarks to-day, was born on the 21st day of November, 1810, in the town of Union, Monroe County, Virginia, now West Virginia, and departed this life on the 26th day of July, 1876. He inherited his father's popularity and a large estate. He received the rudiments of an English education at the village school of his native town. At that time there being no schools of a high grade in that immediate neighborhood, he was sent to the academy at Huntsville, Alabama, where he remained two and a half years. He was then sent to the Lewisburgh Academy, which was presided over by that historic character Rev. Dr. John McElhenny, the pioneer preacher in the Presbyterian Church, a veneration for whose person and character Mr. CAPERTON cherished during the remainder of his life.

In early manhood (the date I have not obtained) Mr. CAPERTON became a student at Yale College, where he remained four years and until he was graduated. Upon his return to Virginia he went to the university of that State, where he was also graduated. He finally finished his education at General (afterward Judge) Baldwin's law-school in Staunton, Virginia, and immediately thereafter commenced the practice of his profession.

He was married, in the twenty-second year of his age, to Miss Harriet Echols, a lady of great intellectual, social, and moral worth, whose acquaintance he made while a student at Yale College, and who remains his survivor.

Mr. CAPERTON filled many offices of trust and importance.

The first office that he filled was a State directorship in the James River and Kanawha Company, as successor to his father, who had held that office and resigned. This, though not a lucrative office, having neither salary nor perquisites, was deemed one of great State

importance, as it was then expected that by this improvement the waters of the Chesapeake would be connected with the waters of the Mississippi through the State of Virginia.

In April, 1841, he became a candidate for the State legislature, and was elected to represent his native county in the house of delegates.

In April, 1844, he was elected to the State senate from the counties of Monroe, Giles, Montgomery, Floyd, Greenbrier, and Mercer. During this term, which was one of four years, he had the misfortune to lose his venerated father. He filled no political or civil office from that time until 1850. He was the executor of his father's will, which devolved upon him a large mass of business, which, with a large and increasing professional business, gave him full employment without being involved in the mazes of politics.

In August, 1850, a convention being called to amend the State constitution, his fellow-citizens of Monroe, Giles, Tazewell, and Mercer Counties called on him to become one of their representatives, to which call he responded affirmatively and was elected. In this convention he took a prominent part, the great question before that bodybeing the basis of representation in the two houses of the legislature,one party assuming that white population should be the basis, the other that population and taxation combined should be the basis. He, in common with his western friends, advocated the white basis. The question was finally settled by a committee of compromise, of which he was a member.

He was twice upon the whig electoral ticket as elector, but failed to secure his election because his party was in the minority in the State at both elections.

In 1859 he was induced to become again a candidate for the house of delegates, with a view of pushing on the great central improvement which is now known as the Chesapeake and Ohio Railroad. He was elected and served two sessions. It would scarcely be necessary for me to say that he was one of the leading members of that body, if not the very leader.

While he was thus serving in the house of delegates, he, in 1861, was elected a delegate to the State convention known as the secession convention. He entered that convention with a determination to save the Union if he could; but when President Lincoln called for money and troops to subjugate the South, he did not think the Union could be preserved, and voted for the separation.

In 1862, Hon. William Ballard Preston, one of the senators in the confederate congress, having departed this life, Mr. CAPERTON was elected to fill the vacancy.

In 1875 he was elected by the legislature of West Virginia a Senator in this body, which he remained to the time of his death.

This is his public history, the principal part of which is known to your humble speaker.

I said in the outset that he inherited his father's popularity and a large estate, which assertion I again repeat with the addition that he added greatly to both. By the rehearsal which I have given of the chronology of his public life, it will be seen that his popularity grew with his growth and strengthened with his strength; that his last days were his most popular days; and he added to his fortune as well as to his popularity, and died possessed of a large estate.

As a lawyer he was always ingenious and persuasive. He understood law as a science, and practiced with great success. He was generally engaged in all the important cases that arose within the range of his practice. He generally argued his cases with marked ability, though he was not always equal to himself. He required to be aroused; without that his utterance was a little hesitating, and his mind seemed timid in taking hold of the subject; but when thoroughly aroused, his language flowed copiously and his mind worked smoothly and vigorously. He could not only follow up his subject in argument, but could add beauty to strength; he could cull flowers for the jury and carry on a playful dalliance with everything he met with on the wayside. He was probably the best lawyer I ever knew

who did not commence the practice of law from necessity, poverty being, as a general thing, necessary, as I think, to professional success. I can unite with another friend of his who said, just before the senatorial election in 1875, "Mr. CAPERTON is an accomplished man in every respect." His disposition was genial and his fund of information copious, which made him attractive as a social companion.

His last illness was short. No one thought the symptoms of his case were alarming. Some of his family were with him, not as watchmen at the bed of death, but as nurses around the bed of sickness. He was bolstered up in bed with pillows, and said to his children who were present, "Hoist the window; hoist it quickly," and swooned away and died. The winged messenger was sped with too fatal an aim. Death had struck its victim, and he is no more. "He is gone from us and will not come to us, but we may go to him."

"The ways of Providence are inscrutable and past finding out." But this we know, that "it is appointed unto men once to die." He has gone before us. We must soon follow.

To say that he was an affectionate husband and a kind father would be commonplace and almost a mockery in terms, for his family not only reverenced him, but almost adored him. They have sustained the "*irreparable* loss," and no one can realize the deep meaning of this expression who has never experienced it. We need not go into the sanctuary of the family to find mourners; they are found in the streets, in the by-ways and the hedges, and everywhere where Mr. CAPERTON was known.

Deeply sympathizing with his family and other friends, in humble sorrow we submit to the fiat of an all-wise and inscrutable Providence.

Mr. President, as a further testimonial of respect to the memory of the deceased, I move that the Senate do now adjourn.

The motion was agreed to unanimously; and (at four o'clock and eleven minutes p. m.) the Senate adjourned.

PROCEEDINGS IN HOUSE OF REPRESENTATIVES.

DECEMBER 22, 1876.

A message from the Senate, by Mr. Sympson, one of its clerks, communicated the proceedings of the Senate in regard to the death of Hon. ALLEN T. CAPERTON, late a Senator from West Virginia.

The SPEAKER. The Chair lays before the House the following resolutions, received from the Senate:

Resolved, That as an additional mark of respect to the memory of ALLEN T. CAPERTON, late a Senator from the State of West Virginia, business be now suspended that the friends and associates of the deceased may pay fitting tribute to his private and public virtues.

Resolved, That the Secretary communicate this resolution to the House of Representatives.

ADDRESS OF MR. HEREFORD, OF WEST VIRGINIA.

Mr. SPEAKER: For the first time since the State of West Virginia was organized as a separate State are we called upon to mourn the death of one of her representatives in the national councils.

We are told in the sacred writings that—

> It is better to go to the house of mourning than to go to the house of feasting: for that is the end of all men; and the living will lay it to his heart.

May it prove so in this instance. May we lay this visitation of Divine Providence to our hearts, and leave this hall better men, better citizens, and better legislators, legislating for the whole country and the continued peace thereof.

ALLEN TAYLOR CAPERTON is no more. He was born in Union,

Monroe County, Virginia, (now West Virginia,) November 21, 1810; after having attended the schools in his native village, he went to the University of Virginia and Yale College, graduating with honor at the latter institution in 1831; after which he studied law with Judge Briscoe G. Baldwin, at Staunton, Virginia; he was admitted to the bar, and up to his death practiced his profession in his native county and several adjoining counties. Having all the advantages of a thorough education, and being of studious habits and fond of his profession, he soon ranked among the very ablest lawyers in the State. He had a mind peculiarly adapted to the law; its catholic spirit, the broad principles of even and exact justice he found in the pages of the law library were in perfect consonance with his own nature. His lofty spirit disdained the arts of the pettifogger. In his practice he was never guilty of deception. He deceived neither client, court, nor jury, retaining to the last the confidence and respect of each. He took peculiar delight in the companionship of his brother members of the bar, as all can attest who ever met him professionally, or under his hospitable roof. But he did not confine himself exclusively to the labors of his profession. He took great interest in developing the material interests, the agricultural and mineral resources of his State. He was a director of the James River and Kanawha Canal, in which he took a great interest up to the time of his death; he had a great and life-long desire to see by the construction of this magnificent work the waters of the mighty West connected with those of the East.

He was for several years a member of the State house of delegates and of the State senate of Virginia, his last senatorial term being from 1859 to 1860. During his service in the legislature, enabled as he was by his store of knowledge, he assisted very materially in molding the code of laws of that State. He was also a member of the constitutional convention of that State in 1861. At the breaking out of the late war he was originally opposed to extreme measures,

believing, with many others, that the rights they claimed could be more certainly obtained by battling for the right within the Union; but when his State decided otherwise he followed. During the war he was elected to the confederate senate, which position he held at the close thereof. As soon as hostilities ceased he turned his face to the future, and from that time to the day of his death he did all in his power to restore peace, harmony, and fraternal feeling to this distracted land.

As long as the whig party was in existence he was one of its strongest and ablest supporters. He defended its principles and devoted himself to its success with knightly courage and devotion. Oft and again in earlier days has his manly form been seen going from county to county, along valley and over mountain-heights, for the purpose of addressing his fellow-citizens in stirring and eloquent appeals to rally them to the standard of Henry Clay. Wherever the white plume of his great captain, Harry of the West, was seen, there was he.

On February 17, 1875, after a protracted struggle, he was elected to the United States Senate to succeed Arthur I. Boreman. How short his career on that theater! Truly hath the wise man said:

Boast not thyself of to-morrow; for thou knowest not what a day may bring forth.

During the last session of Congress we had rooms in the same building, and it was my fortune to see more of him in his last sickness than any other person. It was my lot and sad pleasure to minister to his varied wants in his last days on earth. His suffering at times was very great, after which he was easy and very cheerful. He bore his paroxysms of suffering with heroic fortitude, never repining. A short time before the critical moment his only son and eldest daughter, with other relations, were summoned to his bed-side; his noble and devoted wife being too feeble to travel. He was not aware his end was so near. On the last morning of his earthly existence, thoughtful as he always was of the pleasure of others, he suggested to his son and another gentleman near and dear to him who was in

attendance, to go to the hall of the House of Representatives to hear a certain discussion that was to take place, in which he felt a great interest. They yielded to his request, and only returned an hour or two before he had another and his last paroxysm. About four o'clock p. m. of that day, July 26, 1876, he was sitting up in his bed conversing with his son. All at once he said quickly to him, "Raise that window," which was done, and he immediately expired.

"Raise that window!" How typical! how suggestive! As the window of his earthly mansion was raised that of the eternal was opened to receive his spirit into the "house not made with hands, eternal in the heavens."

His remains now lie buried amid the mountains where he was born, and over which he delighted to ramble in his boyhood days and riper years.

If any one had ever doubted the high esteem in which he was held at home, they would have doubted no longer if they had been present on that last sad day when his remains were lowered into the grave. For miles around his friends came from their mountain homes to mingle their tears with his weeping family—men and women of all stations in life, the rich and poor, white and black; among the latter of whom were many who once were his slaves. That was a sad, sad day for the little village of Union. Sadness and silence reigned over that mountain village as if they had lost their last and dearest friend.

But a few weeks preceding this scene a similar one had been witnessed. Augustus A. Chapman, a former member of this House for two terms, had paid the debt of nature. CAPERTON and Chapman in one brief summer. A. A. Chapman was also a man of mark and distinction, beloved by all, disliked by none—a noble and generous soul. Both have left behind them fond, devoted wives, noble specimens of true womanhood, and each a son worthy to bear the names of their respective fathers, and each several daughters inheriting all

the nobler and finer traits of character of their fathers. Mr. CAPERTON was of pure and spotless character, public and private.

If it be true, as has been said, that public men are the true reflex of their constituents, then indeed may West Virginia take high rank among the great sisterhood of States.

Cicero tells us that in his day—

> The senators, that is, the *senes* or old men of the state, dwelt in the country and lived on their farms.

So did Mr. CAPERTON; and to its fullest extent did he adopt the sentiment of Cicero when he said:

> There is nothing more profitable, for there is not in nature, in my opinion, anything more beautiful or affecting, than to behold a plantation with all the parts of it in complete and perfect order.

He delighted in horseback exercise. He was devoted to his home and his State. He delighted in natural scenery, and at times he seemed to be enchanted.

Well do I recollect one bright, beautiful morning, when we were returning from Charleston on horseback, just as the sun was gilding the eastern horizon, we reached the highest point of Sewell Mountain, when suddenly he called to me to halt, and said, "Behold the beauty, grandeur, and sublimity of this view." Below us lay the morning fog as one broad sea, with here and there some peak taller than the others rising through the fog and presenting the appearance of so many islands, covered with the most beautiful emerald, in the midst of the ocean.

Again he burst forth in his ecstasy and exclaimed—

> See yonder mountains, the everlasting mountains; how peerlessly they rise
> Like earth's gigantic sentinels discoursing to the sky.

He could not tolerate tyranny or oppression either in the individual or state; he was a noble specimen of truest manhood, most eloquently and happily illustrated in that expression of George W.

Summers, West Virginia's most gifted orator, when, describing the State and her people, he said:

> Her people are a bold, daring, liberty-loving people; they are lulled to sleep at night by the roaring of her cataracts and awakened in the morning by the scream of the eagle as he takes his flight sunward.

He had a kind, tender, and grateful heart. Well do I remember on another occasion, when again traveling on horseback over our lofty mountains, when arriving at a certain spot he pointed to a farm some distance from the road and said, "There lives a generous, kind-hearted man; I shall never forget him; directly after the war, as I was passing that point, he came out to me and said: 'Mr. CAPERTON, you are going to Charleston; although you are a rich man in this world's goods I know you can have no money, for the war has just closed; here are a few dollars in silver that I had buried; take it.' I thanked him, but declined his generous offer."

He was a man of scholarly attainments, a fine lawyer, a man of enlarged views on all subjects, a devoted husband and father, a warm friend, a generous neighbor, and a worthy example to old and young, at home and abroad, in public and private. He scorned everything like duplicity.

In the selection of men to fill the offices of our State, from the highest to the lowest, he always urged that none should be elevated to position but men of ability and spotless character, both in public and private, having an eye single to the good of the State and all the people thereof.

But I must detain you no longer. He is gone, gone to his long home. Who will dare say the world was not better by his having lived in it? No more shall we look upon his manly brow and delicately-chiseled features; no more will we hear his merry laugh or words of encouragement and sound wisdom.

> His life was gentle; and the elements
> So mixed in him, that Nature might stand up
> And say to all the world, "This was a man!"

Address of Mr Goode, of Virginia.

Mr. Speaker: The representatives of the American people are again called upon to pause in their deliberations for the public good to recognize the hand of death and to render a just tribute of respect to the memory of a worthy compatriot and faithful public servant in the other end of the Capitol.

On the 26th day of July, 1876, Allen Taylor Caperton, a Senator from the State of West Virginia, was suddenly stricken down in the midst of an honorable and useful public career, and his mortal remains were borne hence to his beautiful home in the mountains of West Virginia, where they were tenderly consigned to the grave by his bereaved neighbors and friends, who had known him long and loved him well. As one of the Representatives from the State of Virginia, I feel that I would disappoint the just expectations of my constituents if I failed to utter their voice of sympathy on this memorial occasion, and to give some expression, however inadequate, of the respect and esteem in which they held the distinguished dead. Virginia claims the mournful privilege of laying a simple wreath upon the tomb of her departed son. Mr. Caperton was born upon the soil of Virginia. He was educated at her great university. He was identified with her works of internal improvement. He was for many years an active member of her general assembly in both branches. He was a conspicuous member of her convention in 1861, and served her with fidelity and zeal in the senate of the Confederate States until the close of the war in 1865. He loved his native State and all her traditions. He cherished with filial devotion the hallowed associations and historic glories which cluster about her honored name.

When that mother commonwealth, so rich in historic treasures, shall stand up in after years and point with maternal pride and tenderness to her long line of devoted and illustrious sons, the name of ALLEN TAYLOR CAPERTON will not be forgotten.

My personal acquaintance with him commenced in the Virginia convention of 1861. He had come into that body earnestly opposed to the separation of the States. He was ardently and devotedly attached to the Federal Union. He was bound to it by the strongest and closest ties of affection. He was exceedingly reluctant that Virginia should attempt to dissolve her connection with it. He remembered with pride that the Union was in a great measure the creation of her own hands; that it was her son who had penned the Declaration of American Independence; that it was her son whose heaven-born eloquence had first kindled the fires of the American Revolution; that it was her son who was confessedly the father of the American Constitution. When the Union was dissolved, he exerted all his great powers and exhausted all his persuasive eloquence in an effort to bring about its restoration. He was instrumental in inaugurating the peace congress here at Washington. He advised that commissioners should be sent to the seceding States of the South. But after the war had been commenced and Virginia had been fired upon while bearing the olive-branch of peace, he felt that every consideration of duty and of honor required that she should take her position with her southern sisters, and, with a full knowledge of all the fearful odds against her, he deliberately voted to adopt her ordinance of secession. While the war continued, Virginia was swept throughout all her borders by the besom of destruction. Her sleeping cities were awakened by the music of bursting bombs. The thunder of hostile cannon echoed and re-echoed along all her coasts, and her green fields were made red with the best blood of her children. But in that trying ordeal through which she was called to pass, the great heart of ALLEN T. CAPERTON never quailed, and his heroic spirit never faltered in devo-

tion to that cause which he believed to be the cause of civil liberty and constitutional government.

As a Virginia senator he supported all the war-measures of the confederate government with alacrity and zeal, and never withheld a man or a dollar until the confederacy had fallen prostrate, bleeding and exhausted, before the victorious legions of the Union. Such was the intrepidity of his nature and such the cheerfulness of his courage that he moved steadily forward in the path of duty, unawed by danger and uninfluenced by any consideration save those which concerned the honor and welfare of his people. But when the war had terminated and the long night of agony and of woe had been spent, Mr. CAPERTON, as an acknowledged leader of public opinion in his section, was one of the first to come forward and advise his countrymen that it was the dictate of wisdom and patriotism to submit manfully and cheerfully to the logic of events. He believed, with Edmund Burke, that true statesmanship consists in a proper adjustment of the conditions in which we find ourselves placed. He indorsed the sentiments of that eminent British classic, who said that "to the future, and not to the past, looks true nobility of soul." Instead of indulging vain regrets over the issue of our unsuccessful struggle, he felt that it was a high and patriotic duty to extinguish the bitter memories of the war, and with uplifted brow to look bravely and hopefully to the future. He felt that it was no reflection upon southern manhood to imitate, in all respects, the great example of our immortal chieftain, whose watchword was duty, and who from the day of his surrender at Appomattox to the day of his death at Lexington never failed to inculcate the doctrine that, having renewed our allegiance to the American Constitution, we too had duties to perform as American citizens. His heart's desire and prayer to God was that we might have peace—peace between the sections and peace between the races. He well knew that without a lasting and enduring peace there could be no development of our material resources,

no revival of our prostrate industries, no restoration of hope and of confidence to our distracted and afflicted country.

As one of the results of the war, the State of West Virginia was carved from the side of old Virginia, and the county of Mr. CAPERTON'S residence was embraced within the limits of the new State. Notwithstanding the fondly-cherished associations of a life-time were thus rudely sundered, he did not, like the captive Israelite of old, hang his harp upon the willow and sit down by the waters to weep, but, like a true man as he was, he immediately addressed himself to the task of developing the untold wealth and the magnificent resources of that young and highly-favored State. Nowhere else upon this continent can be found a more fertile and productive soil or a more genial and delightful climate. Her beautiful blue mountains abound in iron, copper, coal, lead, and other minerals. Her magnificent rivers murmur, as they roll, the music of her power. Mr. CAPERTON fully appreciated her great capabilities and her immense natural advantages, and instead of calling upon Hercules for help, he advised the people to go to work and help themselves. They have gone to work with an unfaltering purpose and an indomitable will worthy of the heroic race from which they sprang. They have exhibited recuperative energies which have not been surpassed by any people in any age.

Such was the high estimate in which Mr. CAPERTON was held by the people of West Virginia that they embraced the first opportunity to send him as one of their representatives in that august body, the Senate of the United States. It is a sufficient eulogy to say of him that he was equal to the occasion and worthy of the exalted station. He was not a brilliant orator, but a wise and safe counselor. He was not a fierce gladiator in debate, but a modest, dignified, prudent Senator. Descended from an ancient stock, he was always and everywhere a gentleman of the old school. He was a man of such lofty character and incorruptible integrity that he would have felt a

stain upon his personal honor like a wound. What a happy day it would be, Mr. Speaker, if every position of honor and of trust in our land could be filled by a man of character, who would avoid corruption in office as he would flee from the "pestilence that walketh in darkness and the destruction that waiteth at noonday." But, sir, our true and noble and gallant friend has gone from among us forever. No more will his manly form be seen in these halls. No more will we receive the friendly, cordial grasp of his hand. No more will we hear his words of sympathy and of cheer to comfort and to strengthen us in the great battle of life.

The mighty flood that rolls
  Its torrents to the main,
Can ne'er recall its waters lost
  From that abyss again.

So days and years and time,
  Descending down to night,
Can thenceforth never more return
  Back to the sphere of light.

And man, when in the grave,
  Can never quit its gloom,
Until th' eternal morn shall wake
  The slumber of the tomb.

Mr. Speaker, when the Forty-fourth Congress first assembled, the Representatives of the people found the Capitol draped in mourning for the loss of Henry Wilson, the favorite son of Massachusetts and the second officer of the Government. During the existence of this Congress they have paused amid the bustle and turmoil of legislative life to chronicle the deaths of the lamented Starkweather of Connecticut, the gifted Parsons of Kentucky, the high-toned CAPERTON of West Virginia, and our late beloved Speaker, Michael C. Kerr of Indiana, whose genius and virtues have illustrated the grandeur of

American institutions and lent additional luster to the American name. What mean all these dispensations of Divine Providence? What mean all these habiliments of woe which now surround the Speaker's chair and meet the eye of the Representative of the people as he enters this hall? The solemn lesson which they convey to each one of us is, "Be still, and know that I am God."

Address of Mr. Wilson, of West Virginia.

Mr. Speaker: One of the most beautiful traits of the human character is that the living mourn the loss of the dead. When relatives or friends or acquaintances are removed from earth, it forces upon us a renewed realization that man is born to die, that life is but a span, and eternity hath no end; it arouses in our breasts the feeling of man's obligation to his God. How impressive and sorrowful the reflection that from the prime of life and the vigor of manhood we may, under the providence of God, be stricken down in the twinkling of an eye. It verifies the teaching of divinity, that in the midst of life we are in death.

At an early hour upon the morning of the 27th of July last I was shocked with the intelligence, communicated by a friend, that Senator Caperton was dead. How sad that solemn announcement! Sadder, perhaps, to me than to any other member on this floor, for the thought rushed upon my mind that but a few brief weeks before that time, when a protracted, dangerous, and wasting sickness had carried me almost to death's door; when my family, physicians, and friends had well-nigh ceased to hope for my recovery—even when the announcement of my death had flashed along the wires to my constituents—I remember, ah! well and gratefully do I remember, the deep and anxious solicitude with which the distinguished dead whose loss we mourn here to-day lingered at my bed-side; well do I remember the

words of comfort he whispered in my ear, and the tender care with which he administered to my almost dying wants. Under the providence of a merciful God I have been restored to health again, but my friend, O, my friend! where is he? Gone! gone to that bourn whence no traveler returns. I follow him with my prayers and beseech for him grace and pardon from a just and righteous God.

At six o'clock in the evening of the 26th of July, 1876, ALLEN TAYLOR CAPERTON, Senator from the State of West Virginia, departed this life, in the sixth-sixth year of his age, in the city of Washington. His disease was that technically known as *angina pectoris*. His last illness was of brief duration, and was at no time regarded dangerous. His devoted wife was then unhappily confined to a sick-bed, at Richmond, Virginia, and for that reason was unable to attend her husband in his last hours. His son and daughter, assisted by other relatives, kept faithful watch over their fond father and were flattered by the hope of his speedy recovery. Upon the morning of the day of his death he was feeling so comfortable that he advised his son to attend the session of the House to hear the speech of an able friend. When the son returned he found his father sitting up in bed, brushing his whiskers. He suddenly called to the son to hoist the window, and immediately sank back on his pillow, and expired without a groan. We can better imagine than describe the anguish of those children, and the untold grief and agony that entwined itself around the heart of that wife when the startling, crushing news fell upon her ear that one whose very existence formed part of her own was called to lie down in the cold damp ground to sleep the sleep that knows no waking.

Mr. CAPERTON was born near Union, Monroe County, Virginia, now West Virginia, November 21, 1810. He attended school, first in Virginia, then at Huntsville, Alabama, next at the University of Virginia, and graduated at Yale College in 1839. He afterward studied law with Virginia's distinguished jurist, Judge Briscoe G.

Baldwin, at Staunton, was subsequently admitted to the bar, and practiced his profession with ability during the remainder of his life. He served as a director of the James River and Kanawha Canal, and was for several years a member of the Virginia senate and house of delegates. His last senatorial term in the legislature ended in 1860, and in 1861 he was elected a member of the State constitutional convention which passed the ordinance of secession, and was afterward elected by the legislature of Virginia a member of the Confederate States senate, in which body he served until the close of the war.

After the close of the war he returned to his home in the mountains of his nativity, where, borrowing the idea from another, it may be said, the air is pure, heaven serene, and God is near. Here he intended to spend the evening of his life in his professional and private pursuits and in the enjoyments of his home. He engaged actively in presenting to eastern capitalists the vast and superior coal and timber regions of the southwestern portion of his State, and to his energy and ability perhaps as much as to those of any other gentlemen are the citizens of the East and West indebted for that development which gives cheap fuel, cheap lumber, and promises of cheap transportation. But his mission had not yet been fulfilled; his people had further need of his talent, his experience, his learning, and his purity, and after an exciting and somewhat bitter contest between other gentlemen for a seat in the United States Senate in the winter of 1874–'75 the legislature of his State conferred that high honor upon him. He was an element of compromise acceptable to all, and the honor was the more thankfully and graciously received because it came to him unsought.

In early life he was a whig in politics; was an admirer of Henry Clay, Josiah Randall, and their compeers, and a co-worker with them. The most cordial personal relations existed between himself and Mr. Randall, and the visits of the latter gentleman to the mineral springs of Virginia, and to his landed interests in the coal regions on the Great

Kanawha, brought them into frequent association. Upon the disintegration of the whig party Mr. Randall was prominent in heading the movement to unite the whigs with the conservative-democratic party. His great speech, delivered at Chambersburgh, Pennsylvania, on the 6th of August, 1856, at the request of the democratic convention of that State, defined the policy of the wing of the party who aided the democrats in achieving the victory of that year. In this movement he was ably seconded by Mr. CAPERTON, and during the remainder of their lives they co-operated in carrying out the policy thus inaugurated.

Mr. CAPERTON discharged the duties of the various positions he was called upon to fill with honor to himself and benefit to his constituents. It was in the constitutional convention of Virginia, in 1861, that I became intimately acquainted with him. He there, as always before and since, displayed the fine culture, high character, and conservative views that drew around him the love and confidence of his people. He was a conservative-union man, opposed to secession, and declared that it was not the remedy for the evils of which his State complained—that secession would lead to coercion, coercion would produce war, and war would result in distress and desolation. It was not until his State had taken the fatal step that he determined to follow; but, being of that school which regarded the doctrine of paramount allegiance to the State, when his mother, Virginia, cast her fortune with the confederate government, he threw his influence for weal or for woe with that mother and determined to share her fate, whatever that fate might be. Upon the close of the war he accepted the situation, and acquiesced in the abandonment of secession and the overthrow of the institution of slavery.

He also acquiesced in the validity of the thirteenth, fourteenth, and fifteenth amendments to the Constitution of the United States, giving to them the broadest interpretation placed upon them by the courts of the country; but he also tenaciously clung to those other

familiar provisions of the Constitution, one of which guarantees to every State in the Union a republican form of government, and the other reserving to the States respectively, or to the people, the powers not delegated to the United States nor prohibited by it to the States. His earthly career is ended, and his friends in their grief point with satisfaction to his life as one well spent—upon which neither spot nor blemish can be found. The chief feature of his character was its purity and unbending integrity; he lived and died an honest man—the noblest work of God. Sorrow for such an one is an affliction we cherish and brood over in solitude; we would not wipe out from our recollection if we could the memories of the man. "The love which survives the tomb is one of the noblest attributes of the soul." "There is a voice from the tomb sweeter than song—there is a recollection of the dead to which we turn, even from the charms of the living."

Let me mingle tears with thee,
Mourning for him who mourned for me.

Address of Mr. Tucker, of Virginia.

Having known Mr. Allen Taylor Caperton, late Senator from West Virginia, intimately for more than a quarter of a century, it is fit that, as his friend and as a representative of his mother-commonwealth, I should speak of his public and private character to-day.

He sprang from a race which removed from the south of France to the north of Ireland; and thence his great-grandfather, Adam Caperton, came to America.

His grandfather went to Kentucky, in its early history, and was killed by the Indians in a battle known as Estill's defeat.

His father, Hugh Caperton, began life in Monroe, then Greenbrier, County, Virginia. He was a prominent man, was esteemed a gentleman of honor, and was a citizen of great public spirit and wide in-

fluence, and full of good deeds to the people among whom he lived and died.

He was a member of the State legislature, and for several terms a Representative of his district in this House of Congress, in which body he established a cordial and permanent friendship with such men as Henry Clay and Daniel Webster.

His distinguished son, whose death we now deplore, was liberally educated at the University of Virginia and then at Yale College, being graduated at the latter institution in 1831. He studied law at Litchfield, Connecticut, and afterward under the late eminent Judge Briscoe G. Baldwin, of the court of appeals of Virginia.

He began the practice of the law in his native county, and rose rapidly in public confidence as a counselor, advocate, and man. He was successively a member of both houses of the legislature of his native State, of her constitutional conventions of 1850 and 1861, and was elected by her legislature in 1863 to the senate of the Confederate States, in which he served honorably to the close of the war. Two years ago he was elected to the Senate of the United States by the State of West Virginia, and died in July last while faithfully doing his duty in that body.

His career, so full of manifestations of public esteem, gives evidence of rare mental and moral endowments, and justifies me, who knew him well, in attempting to portray them as they were grouped in his noble character.

His intellect was active, acute, and vigorous, with a substratum of shrewd and masculine common sense, which constituted him a wise and sagacious counselor. He had imaginative powers superadded, which gave fervor and earnestness to his convictions and made him an able and often an eloquent advocate at the bar, on the hustings, and in the Senate. His culture was liberal, and, while his study of his profession and of political science did not rank him with the most learned and profound lawyers of the country, yet he was most efficient

in the conduct of his cause, very successful in the management of business, eminently safe as an adviser, and an able public servant.

In the very depths of his soul he was brave, disinterested, generous, and true. He was sincere and constant in his friendships; open, manly, and magnanimous, though stern and resolute to his foes. Deceit could not cross the confines of a heart whose inmost citadel was held by honor and truth. He was frank and candid, and in his word absolute reliance was reposed; for as his sincerity was undoubted, so his courage was a pledge to make it good to his friend or against his opponent.

To these sterling and manly virtues were united all the gentleness of a tender and loving nature. To his friends his society was a genial sunshine. Good sense, with wit and humor; earnestness of purpose, with perennial pleasantry; the manly activities of a firm and resolute nature, with a taste for poetry and music; gentle loves and ardent friendships in the midst of the fierce struggles with adverse fortune or malign influences—these were mingled in beautiful proportions on the page of his history.

His mountain home was the seat of a hospitality where his guest forgot it was not his own, or only recalled it as he admired the easy freedom and graceful dignity of a host who banished all formality in the nobleness of his welcome and the simplicity and generosity of his entertainment.

He had the warmest sympathies for his own people. "The short but simple annals of the poor" ever found his ear attentive. Their early traditions, their homely thoughts, their sturdy and healthful sentiments, he heard, appreciated, and cherished. To his equals he seemed proud and reserved, until friendship melted the surface, beneath which was the warm current of his affections; but he was never haughty to the lowly, the poor, or the helpless. To these he was gentle, tender, and sympathetic; so that popularity followed him unsought. He charmed childhood by his playfulness; won the esteem

of the gentler sex by his attractive manners, his cordial deference, his genuine respect, and his chivalrous courtesy and manhood paid homage to his liberality, his courage, his honesty, his magnanimity, and his good sense.

In his own household—I pause upon its sacred threshold but to utter one word: As husband and father he merited the grief which can only be assuaged by Him whose promise is sure, to be the husband of widowhood and the father of orphanage!

I have spoken of Mr. CAPERTON as a man adorning society by his presence and as a citizen blessing his people by his beneficence.

I must speak of him as a public man. He was animated by a high public spirit, lending his aid to all schemes which would benefit and advance the interests of his community, his State, and his country, in its largest sense.

He was a whig in politics in early life, and adhered to that party until 1860 with consistent and unshaken fidelity. After the presidential election of that year he was elected to the convention of 1861 as a Union man. He was a patriot, who loved the Union of our fathers with a depth of devotion which was only surpassed by his veneration for Virginia. And he adhered to the Union until the proclamation of Mr. Lincoln of April 15, 1861, summoning Virginia to assist in the war upon her southern sisters, when he decided to follow her into the southern confederacy, and was faithful and true to its cause until it perished by war in 1865.

But Mr. CAPERTON was no visionary or dreamy abstractionist. His mind was sagacious and practical. In the overthrow of the confederacy he saw the divine decree that the future fortunes of the South were bound up in the restored Union under its Constitution, and that duty demanded of him to devote his future life to building up the waste places of his own loved land, to repairing the breaches in the Federal system, and to promoting the liberty and the progress of the people of these reunited States.

I know that such was his patriotic purpose and has been his earnest effort. He fell at the post of his duty, and has left to his friends and to his countrymen a name without a stain, a character for spotless and lofty integrity, and the perpetual memory of a noble and honorable life.

Mr. CAPERTON and our late Speaker died within a few weeks of each other. Mr. Kerr passed away amid mountain scenes in Virginia resembling those familiar to the eye of Mr. CAPERTON. Virginia may well mourn them together; the one her faithful son, the other who, drawing the inspiration of his opinions from our State, ever held her in a reverence which merits the tribute of her sorrow, as his eminent virtues and abilities won the esteem of her Representatives. In this Hall, where lately eloquence lent its voice of praise to the memory of Kerr, we may speak, above the graves of both, our sincere conviction that in their death the country has lost the sagacious counselsof two patriot statesmen, never more needed than in this critical period of her history, to guide her in the path of prosperity andhonor and an enduring peace.

Mr. Speaker, I have thus endeavored to delineate the character of my friend in simple words and with fidelity to truth. I dare not trust myself to speak of the personal relations which bound us for many years nor of the beautiful memories of the past which crowd upon my mind.

In this desperate battle of life, as we near its close, so many who began the march with us have fallen like leaves in wintry weather, that we naturally feel as if the friends who are gone were more numerous than those who remain. What we are meant to learn from these providential events is not merely the trite lesson of the uncertainty of our life, but that as death ends so life must be filled up with duty. Duty is indeed the *whole* of our life, the sublimest word as it is the grandest thought of our race. As we look in the face of

our honored dead, where passion's flush has yielded to perpetual pallor—

> Before decay's effacing fingers
> Have swept the lines where beauty lingers,
> And marked the mild, angelic air,
> The rapture of repose that's there—

we feel how solemn it is to die and close forever the book of human purpose, and human activity, and human obligation. But life is more solemn than death, and of deeper import. It is our only opportunity for responsible work, to make up that record which must stand of duty done in the fear of God and for the good of our race.

Brother Representatives, we have buried one who, with us, represented the voice of the people of these States in our Federal Union. We stand to-day at the grave of one of the representatives of an organic State, in its equipollent relations to its sister commonwealths. Each in our respective Houses have solemn relations to this great system of government, and fraught with momentous results in the near future of our history. May we be endued with wisdom from on high so to perform these important functions that when our summons comes, as soon it must come, we may render our dread account without fear; and, life's weary warfare done, and well done, may sink peacefully and honorably, with firm faith and humble hope, to our welcome rest from all the work that wearies, and enter with immortal energy upon the activities and the aspirations of an eternal life in the presence of our Father and our God!

Address of Mr. Kasson, of Iowa.

Mr. Speaker: I regret that I cannot adequately contribute another to the fitting tributes already rendered to a character so respected and so amiable as that of the late Senator Caperton. His life here in Washington was so quiet, his public service in the American Senate so short, that comparatively few of us on this floor had the pleas-

ure of even a personal acquaintance with him; but so many of us as did know him—and I am glad to have been one of that number—most sincerely unite with the delegation from his own honored State in a common regret at his departure from these scenes of his official duty, and in a common grief that his presence will never again brighten the hours of our social intercourse.

Sir, there has always been, both in the Senate and House of Representatives, a body of useful men, rarely claiming the attention of the public press, rarely consuming the hours devoted to debate, but sound in their judgments, attentive to the duties of committees, patient in labor for their constituents, and conscientious in their votes. The applauding clamors of the public never fall to their share, never quicken their vanity, or give them a deceptive pleasure. No wreaths of earthly glory are woven for their brows. No eager, selfish ambitions induce them to provoke or to participate in popular tumults, in the turbulence of which they may rise to temporary distinction. They love peace for themselves and peace for their country. Their reward is not sought in popular applause, but in an approving conscience. The God who speaks in a "still, small voice," not he who speaks amid the rending winds of tumultuous praise or in the earthquake of civil strife, is the object of their worship. Faithful to duty as they see it, their lives pass, giving and receiving blessing, tranquilly to their end.

To this class of useful men and trustworthy public servants Senator CAPERTON belonged during the period of my acquaintance with him, faithful to his constituents, faithful to his own convictions of duty, giving to his country the benefit of his large experience in affairs without conceit and without ostentation. In social life his quiet nature gave an illumination to the circle in which he moved. Even his presence served as a bar to discord and an invitation to conciliation. Elected to a position in the confederate senate during the years of our national trouble, it might have been expected that he

would enter the Senate of our reunited States with prejudices which would mar his record or impair his usefulness. But his character was too true, direct, and sincere to admit such a result. From the moment he took his official oath as a member of that exalted body charged with the vast interests of this Republic, he seemed to have no thought which was at discord with his patriotic duty. He became a true son of his united country, and not a word from his lips ever fanned the dying embers of civil strife. His action in the Senate, in committees, and in society was an assurance of returning fraternity. So far as we have any knowledge, no angers, personal or political, remained to be buried in his grave. No one there had need to suppress a frown. Only those who bore to him the sentiments of kindness and affection could be found in all the range of his social relations.

Thus, Mr. Speaker, this House knows no distinction of party names as we gather to this memorial service. We all reluctantly bid farewell to our late associate in Congress. We all honored him living; we all revere his memory, dead. We all wish to lay some fond tribute upon his tomb. All of us deeply sympathize with those who were nearest to him in the ties of kindred and with his congressional associates from his own State. We all are to see his face no more on earth. We all pray for a meeting in the other and happier world to which he has gone.

Address of Mr. Hardenbergh, of New Jersey.

Mr. Speaker: Death's hurricane again has passed and a stately tree has fallen, rich in the foliage and fruits of its gathered years, at once an ornament, a beauty, and a blessing.

A stricken family bewails its loved one lost; a sovereign State mourns an illustrious son, called away in the maturity of his power; the Senate drapes again with the devices of mourning a Senator's

chair, and we attest by our spoken grief that another member of the Forty-fourth Congress has passed through the portals of the tomb and a spirit ascended to the bosom of its Father and its God.

It is right that we should pause in our avocations, and while laying our garlands upon his tomb, give fitting expressions to the thoughts which instinctively well up in the heart. It is also right that as representatives of the people we should bear our testimony to the virtues which gave dignity to and adorned his character, for he was *true to his high trust*, and the sentiment is at once chaste and beautiful that marks an immemorial custom when death enters here, as State joins with State to attest the common sorrow as mourners at the grave of an associate and a friend. We cannot repress our grief when the "good man" dies. Society feels the vacuum when an educated mind is withdrawn forever from its service and a ray of broadest light expires, light furnished by that inward and immortal lamp which when its mission upon earth has ended is trimmed anew by angel hands to shine forever in the land beyond.

The mind of man in its sphere and destiny is essentially immortal. It is true it has its periods of youth and age; its rise, its progress, its decline; yet, like the oak whose withered branches have withstood the storms and gales of centuries, when its leaves are strewn by wailing winds and angry blasts, from the small but gradual unfolding of that vital substance spring forth into life and beauty as a new creation the buds and blossoms of another year.

There have been many vacant seats since first we gathered at our country's call. Massachusetts weeps still at Wilson's grave, for he was her gifted son, reared from toil, and the record of his useful public service in times that gave development to greatness will alike forever adorn her own and the nation's annals.

Connecticut has lain away with tender hands a gallant Senator and a faithful Representative once of us here. Kentucky's tears fell thick and fast as the manly form of Parsons was borne away to

repose beneath her generous sods. A few days since and all the eloquence of woe was heard within this Hall as we rested from our pursuits of legislation at Indiana's and the nation's loss that our Speaker, her sturdy son of Roman type, lay buried from our sight; and now West Virginia, virgin State, born into the Union amid the mightiest of earth's great warfares, has vailed her temples in mourning as the sad procession again was formed to bear her departed Senator o'er her hills and through her vales at once to his home and to his grave. Born upon her soil, with gifted powers early trained in academic groves, he gave to her his noblest services. And for these *she loved him* and crowned him with her highest civic honors. It was right it should thus be. That country best honors itself as it confers its dignities upon its worthiest and most illustrious sons, for the record of their lives will mark the noblest pages of its career.

There was a period in Grecian history denominated the "heroic age." The mystic spirit of that classic race had invested men with the dignity of gods. So wonderful had been their achievements, so exalted their career, that the mere attributes of ordinary humanity were not sufficient to account for the virtues they possessed. Their names were inscribed upon the warrior's shield, lifted up as the silent guardians of the public weal, adorned the temples dedicated to justice; for in all places and on all occasions where patriotism sought example the heroes of classic Greece claimed the reverence and affection of the people.

Mr. Speaker, may not the intelligent inhabitants of a hemisphere unknown to the ancient kingdoms of the world when truth was vailed in fiction and before the revealment of a superior wisdom to mankind, as we cross the threshold of our new centennial, give higher witness to our own "heroic age" as memory reverts amid such touching scenes as this to the long list of minds of giant mold from those who founded to those who in the providence of God may preserve this best of human governments? Standing as we do by

the new-made graves of Wilson, Ferry, and of Starkweather, of Parsons, Kerr, and CAPERTON, shall we not learn lessons anew of the patriot's duty and the legislator's high responsibility, that passion and prejudice and envy shall be quenched in that nobler spirit of endeavor whose patriotism is the love of country, whose code of morals is the love of man? Then the pillars of our Republic will be the firmer set, its destiny the surer be, and then indeed shall be given a purer emphasis to the language of the Roman bard:

> Ye have raised monuments more lasting than brazen statues, higher than the royal pyramids, which cannot be destroyed by wasting rains or the fury of the winds, by the series of countless ages, or the flight of the eternal years.

ADDRESS OF MR. FAULKNER, OF WEST VIRGINIA.

Mr. SPEAKER: My colleague who sits near me, [Mr. Hereford,] having, as it was altogether appropriate for him, given a somewhat detailed sketch of the life and services of the individual whose death has just been announced, it will only be expected from me to give my personal recollections and impressions of the deceased, as derived from my occasional official and private association with him. Although we were both natives and citizens of the same State, and of the same grand division of the State, yet we were widely separated by distance from each other, and rarely met except when engaged in the public councils of our State or of the nation. This is not an occasion, in my view of it, for indiscriminate or exaggerated eulogy, but a very fit and appropriate occasion to portray the real character of the deceased, and to let the story of his life suggest such reflections as the facts may fairly warrant.

Mr. CAPERTON was not among the most distinguished men of either of the two States which have honored him with their confidence; but he was a fair and honorable representative of a high-toned and educated class of country gentlemen who gave a character to Virginia

society and exercised a salutary influence upon the particular neighborhoods in which they lived. Inheriting a large landed estate from his immediate ancestor, he was removed above the necessity of pursuing any profession as a means of livelihood; and yet, as was not uncommon among youths similarly situated with himself in that State, he received the benefit of a liberal and classical education, and passed through the curriculum of Yale and the University of Virginia with credit and distinction. Such an education at that period usually embraced a course of municipal, constitutional, and national law, and was sought after by our young men of inherited fortunes, not as a means of gain or profit, but as a source of intellectual enjoyment, and as a stepping-stone to political preferment. Blessed with a sound constitution, a handsome person, frank and engaging manners, an easy flow of language, an ample fortune, and animated by noble but modest aspirations for public service, no young man could have commenced life with promise of a more useful and honorable career.

His mind was quick, sprightly, penetrating, and accurate, but not of the highest and most robust order. It had not been disciplined by habitual labor nor invigorated by the stern collison of intellectual gladiatorship. His memory was tenacious and his fancy occasionally brilliant, while a suppressed and gentle humor gave a peculiar charm to his conversation. His literary taste, naturally acute and delicate, had been assiduously cultivated and improved by a careful study of the best English classics.

As a statesman he was essentially conservative in all his views. He was a sincere believer in the superiority and value of free institutions and an inflexible advocate of all the just rights of the people; and yet he was no demagogue. His appeals were always to the reason, not to the passions or prejudices of his hearers. He never flattered popular follies, but often exhibited a peculiar pride in avowing an unpopular opinion if he had himself full faith in its soundness. He

looked with intense admiration upon the wisdom and sagacity displayed in the Constitution of the United States, and was disposed, especially in his earlier life, to give too broad and liberal a construction to its implied powers. He was the stern and inflexible supporter of what he believed to be the right; and perhaps treated with too much levity and harshness what was deemed by others expedient in morals and politics. His maxim in life was *Nihil vero utile, quod non idem honestum.*

There was one quality which strikingly distinguished Mr. CAPERTON, and which all will recognize who enjoyed the pleasure of his acquaintance, and that was an elevated tone of mind and morals, which rendered him incapable of countenancing a low or mean action. He shrank from all humbuggery, imposture, and false pretension as something vile and contaminating. He was a stranger to the gnawings of envy; he stabbed no man in the dark; he took no unmanly advantage of an opponent; he was modest in the assertion of his own merit; disdained to appropriate credit or honor to himself which he had not fairly and honestly earned, but did full justice to all who were associated with him in joint labors of any kind. He never sought to impress himself upon the world as something greater or better than he really was. In other words, he was throughout life a sincere, truthful, honest, and honorable man.

My acquaintance with Mr. CAPERTON commenced at Richmond, in 1841. He was then a delegate from the county of Monroe, one of the transmontane and western counties of that State. The agricultural interests of his constituents were at that time suffering severely from the want of a cheap and convenient transportation of their products to market, and he, keenly sympathizing with their necessities, became soon recognized as an ardent and earnest friend of a liberal system of internal improvements. At that time the great scheme which absorbed the attention of the State was a continuous line of water communication between the seaboard and the Ohio River by the valleys

of the James and Kanawha Rivers—an enterprise suggested by the unerring foresight of the Father of our Country—shown to be practicable by the engineering science of McNeil, Ellet, Fisk, and Lorraine, and pushed forward in its construction by the labors of Cabell and the eloquence of McDowell. Mr. CAPERTON attracted attention by his earnest advocacy of this great national thoroughfare, a work which now challenges the attention of Congress and ranks among the public works best entitled to its consideration and patronage.

My next association with him was in 1850, as a member of the reform constitutional convention of Virginia.

The people of Virginia for half a century after the close of the revolutionary war lived under a State constitution which would hardly be regarded as republican in these advanced days of democratic progress. Population as the basis of representative power in the legislature was wholly ignored. The smallest counties, with a population of a few hundred inhabitants, had the same weight in the legislature with the largest and most populous counties numbering from twenty to thirty thousand; suffrage was restricted to freeholders alone; not an office in the State was elective by the people except members of the legislature. Election-precincts were unknown, and if a voter lived twenty or thirty miles from the court-house, it was there and there alone that he could declare his *viva voce* vote in the presence of the assembled voters of the county. These defects, with many others in the constitution of that State, were sought to be remedied by a convention which assembled in 1829, composed of a body of men as illustrious as ever met together in council upon this continent. Among the persons composing that body were James Madison, James Monroe, Chief-Justice Marshall, John Randolph, Littleton Waller Tazewell, Benjamin W. Leigh, and a host of others scarcely less distinguished for ability and statesmanship. Some of the most glaring defects in the then constitution were remedied; representation was somewhat more fairly apportioned and suffrage partially extended. But the

instrument, though protected from severe criticism by the illustrious names which framed it, and which recommended its adoption, fell far short of meeting the popular demand for reform. Accordingly another convention was called in 1850, of which Mr. CAPERTON was a member. The results of that convention gave entire satisfaction to the popular mind of Virginia. Representation upon the basis of the free white population of the State was recognized, although, in a spirit of compromise, the period was suspended for a few years when the principle was to be carried into full operation. Suffrage was extended to all free white male citizens of twenty-one years of age and upward. All offices were made elective by the people, with many other changes of an important and interesting character. In all the proceedings of this convention Mr. CAPERTON bore a useful and prominent part as a friend of constitutional reform, earning the respect and confidence of his colleagues by his good sense, sound principles, and practical suggestions. The constitution was adopted by an overwhelming majority of the people, and an impulse given to the active energies of the State which soon became perceptible in its rapidly-increasing prosperity.

Mr. CAPERTON was an ardent admirer of that great and accomplished statesman, Henry Clay, who gave evidence in three of the most memorable acts of his life of a devotion almost passionate for the perpetuity of the Union. This sentiment was enthusiastically responded to by his supporters and disciples throughout the country, who, indeed, made it almost the shibboleth of party faith. But the Union which Mr. Clay so eloquently depicted was one of choice, of conciliation, and compromise; not of armed despotism and force. This opinion was largely shared by Mr. CAPERTON, and in all the movements preceding the breaking out of hostilities he was a firm and inflexible adviser of a policy that sought to preserve Virginia to the Union. But when the proclamation of President Lincoln was issued, calling upon that State, among others, to contribute her quota of troops and

to become an active party to the war then about being inaugurated to crush the seceding States, and to imbrue her hands in the blood of her brethren of the South, a change came over him, as in one night it did over fifty thousand of the freemen and voters of Virginia. That proclamation boldly presented, on behalf of the Northern States, the stern ultimatum of war, and the alternative was then precipitated upon Virginia either to become a party to a war to conquer and subdue the seceding States or a party to a war to maintain and defend rights which she had held sacred from the foundation of the Government. Mr. CAPERTON and the great mass of the people of that State arrayed themselves on the side of the rights and sovereignty of the States. From that moment his heart and his services were freely given to the confederate cause.

I met with Mr. CAPERTON frequently after he took his seat in the Senate of the United States. I had occasional conferences with him upon measures pending before the two bodies, and it became my duty from time to time, as a member of the House of Representatives, to call his special attention to the personal claims of my constituents and to the local interests of my district. I found him a frank, courteous, intelligent, and attentive colaborer in the work of legislation, ready at all times to guard and protect the interests and to promote the just claims of the citizens of his State. In not a single instance did I observe any procrastination or inattention on his part to any of the several matters to which I invited his attention. His service in that elevated and dignified body was brief, too brief to enable him to exhibit to the country many of those sterling qualities of head and heart which would have reflected credit on his State. But he is now gone forever from among us; his place may be filled by successors of greater brilliancy and of more dazzling talents; but it never can be filled by any man of more virtuous and generous impulses, nor by one more loyal to the true interests and honor of his native State.

Mr. Speaker, I submit the resolutions which I send to the Clerk's desk to be read.

The Clerk read the resolutions, as follows:

Resolved, That the House of Representatives has received with deep sensibility and profound sorrow the intelligence of the death of Hon. ALLEN T. CAPERTON, late a Senator from the State of West Virginia.

Resolved, That the proceedings of this House in relation to the death of Hon. ALLEN T. CAPERTON be communicated to the widow and family of the deceased by the Clerk of the House.

Resolved, That as a further mark of respect for the memory of the deceased this House do now adjourn.

The resolutions were adopted; and accordingly (at five o'clock and thirty minutes) the House adjourned.

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